

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE
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U.S. DISTRICT COURT
DISTRICT OF MASS.

NATIONAL RAILROAD PASSENGER
CORPORATION,
Plaintiff,

v.

5,103 SQUARE FEET OF LAND,
LOCATED AT 40-46 HARVARD
STREET, SITUATED IN WESTWOOD,
MASSACHUSETTS; MORTIMER B.
ZUCKERMAN AND EDWARD H. LINDE,
TRUSTEES OF THE 40-46 HARVARD
STREET TRUST, OWNERS; AND
UNKNOWN OTHER,
Defendants.

03cv12440DPW

APPEARANCE OF MORTIMER B. ZUCKERMAN AND
EDWARD H. LINDE, TRUSTEES OF THE 40-46
HARVARD TRUST

Mortimer B. Zuckerman and Edward H. Linde, Trustees of the 40-46 Harvard Street Trust hereby appear as the owners in fee of the Property subject to the taking by the National Railroad Passenger Corporation, as further described in Exhibit A to the Notice of Condemnation.

Respectfully submitted,

Defendants,

Mortimer B. Zuckerman and Edward H. Linde,
Trustees of the 40-46 Harvard Street Trust
by their attorney,



Neal C. Tully BBO # 504280

Masterman, Culbert & Tully LLP

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(617) 227-8010

Dated: January 12th, 2004

CERTIFICATE OF SERVICE

I, Kevin T. Smith, hereby certify that, on this date, I served a copy of the Motion, by first class mail, postage prepaid, to the following counsel of record:

Eric W. Wodlinger, Esquire
Choate, Hall & Stewart
Exchange Place
53 State Street
Boston, MA 02109



Neal C. Tully

January 12th, 2004